IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CASE NO: 3:07CR91

UNITED STATES OF AMERICA, Plaintiff,))
v.)) <u>ORDER</u>
MARK FREDERICK ETHRIDGE,)
Defendant.)
)

THIS MATTER IS BEFORE THE COURT on the Amended Motion to Suppress Physical Evidence and Statement of Defendant; Request for Evidentiary Hearing (Document #16) filed by the Defendant, Mark Frederick Ethridge, on August 9, 2007. While this pleading is at its core simply an amended motion to suppress, the Defendant does state therein that he "moves to replace [his earlier motion] with this version which fixes some typographical errors and factual mistakes." Based on that language, the Clerk docketed this matter as a motion to amend the earlier motion to suppress, and for administrative clarity, the Court will treat it as such. The Court notes that the government has not yet responded on the merits to either the original motion to suppress or this most recent amended motion to suppress.

IT IS THEREFORE ORDERED that the Defendant's motion to amend or correct his motion to suppress is hereby **GRANTED**.

IT IS FURTHER ORDERED that the original motion to suppress (Document #15) shall be deemed replaced by this amended motion to suppress.

Signed: August 16, 2007

David C. Keesler United States Magistrate Judge